



BOARD OF PUBLIC WORKS & SAFETY MAY 19, 2005 MINUTES

Board member Warren Beville called the meeting to order at 6:00 p.m.

PRESENT:	Board members Warren Beville, Kevin Hoover; Clerk-Treasurer Jeannine Myers; City Attorney Shawna Koons-Davis; and Director of Engineering Paul Peoni. Mayor Charles Henderson was not in attendance.
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Mr. Hoover moved to approve the minutes of April 21, 2005 as presented. Second by Mr. Beville. Vote: Ayes.

Code Enforcement Officer John Myers came forward regarding nuisance complaints. On March 31, 2005 Officer James Ison of the Greenwood Police Department requested assistance on three abandoned vehicles at 81 Crestview, two with expired license plates and the third with no plates. The vehicles were red tagged for removal in 30 days. The tags have been removed. Mr. Myers observed the property again on 4/28/05. He is familiar with the property from previous complaints. The black pick-up truck had trash in the truck bed and trash behind the truck. The vehicle had flat tires. The Chevrolet Cavalier has a current license plate but is parked between the sidewalk and the street in a "No Parking" zone. There is a water heater on the back porch and dead tree limbs in the backyard. Trash was found in the backyard and on the porch as well. Code Enforcement sent a certified letter on 5/05/05 to that address. Mail had not been picked up when he checked on 5/11/05. On 5/12 Mr. Myers asked Officer Ison to hand deliver another letter to the property owner and notifying him that he was slated to appear before the Board of Works. On 5/16 property owner Norman Gunn came to the City Building and had one vehicle title with him, said Mr. Myers, stating he had found the second and was still looking for the third. The vehicle parked between the sidewalk and the street does not run, noted Mr. Myers, and he supplied Mr. Gunn the name and place where vehicles can be towed for a tax write-off. Mr. Gunn stated that the water heater will be placed out for heavy trash pickup next week. At this time Mr. Gunn was invited to speak. He told the Board that he had indicated to Mr. Myers he was going to get all three vehicles to the Kidney Foundation. He has brought in the titles for two of them. He is in the process of getting those to the Kidney Foundation and having the vehicles picked up. Mr. Gunn told the Board he will find the third title or get a duplicate from the State. He told the Board he did not realize that Greenwood offered the service to pick up items such as water heaters and added that he is cleaning up the trash. Mr. Hoover moved to find that a nuisance exists at 81 Crestview because of the three inoperable vehicles as well as the trash and debris in the backyard and porch, direct the City Attorney to issue a ten-day Order of Abatement and take whatever steps she deems appropriate to remedy the situation if the matter is not abated within ten days. Second by Mr. Beville. Mr. Gunn was reminded to move his water heater out to the curb for heavy trash pick-up next week and get the vehicles picked up within ten days. Vote: Ayes.

Next Mr. Myers described high grass at 555 Northgate Drive, which he observed on 4/27/05. The property is owned by Brian Stewart of that address. On 4/27 Code Enforcement left a ten-day notice and also sent a certified letter after confirming property ownership. Mr. Stewart's mother informed Code Enforcement that her son was in Michigan and has not been home for five months. She was advised of the May 19th Board of Works meeting and that if the City mowed the property there would be action to collect the cost. Last year the City had to mow this property, noted Mr. Myers. A second complaint was received on 5/16 from Mike Warrick and a third on 5/18 from Mark Wright. A fourth complaint was received today from Donna White. The property was still in violation as of this morning. Mr. Hoover moved to find that a nuisance exists at 555 Northgate Drive because of the high weeds and grass, that an Order of Abatement for 7 days be issued and that the City Attorney take all steps she deems necessary to enforce that matter and abate the issue, and charge any costs back against the property owner. Second by Mr. Beville. Vote: Ayes.

Next Alison Randolph of the Old Towne Greenwood Association approached the Board to discuss the annual Greenwood Street Fair on June 25th. Between 75 and 150 vendors are expected to give away

product samples. She asked if the solicitor's permits might be waived for this function and noted that they usually raise about \$5,000 for their organization and gave the example of the organization purchasing the lighted Christmas wreaths last year. Ms. Koons-Davis recommended against waiving the requirement, especially because of the liability and the precedent this would set. The City Attorney mentioned that the cost is \$5 per day or \$20 per week. Each vendor should have a permit and this should have happened in the past, said Ms. Koons-Davis. Ms. Randolph also asked for permission to close Machledt Drive. Mr. Hoover moved to grant the Old Towne Greenwood Association's request to utilize Machledt Drive and adjacent City property for the Street Fair on June 25th, subject to providing a certificate of insurance, appropriate waivers indemnifying and holding the City harmless from Old Towne and the vendors, and appropriate vendor permits. Second by Mr. Beville. Vote: Ayes.

John Grimes of Projects Plus next asked for acceptance of the performance bond for erosion control in Crooked Bend, Section 5B. The Letter-of-Credit has been reviewed and approved for form by the Law Department. The Engineering Department has approved the amount. Mr. Hoover moved to:

- 1) Accept performance letter-of-credit (LOC) #MSS-014-05 in the amount of \$18,231 from Caden Financial Corporation for the installation of the erosion control at Crooked Bend Subdivision, Section 5B.

Second by Mr. Beville. Vote: Ayes.

Concerning the same project, Mr. Grimes mentioned that one of the offsite ponds for Crooked Bend, Section 5B received a variance that it could be 1/3 acre instead of the 1/2 acre that Greenwood requires. The Engineering Department was concerned about the possibility of algae growing and the developer agreed to put a fountain in the pond. Mr. Grimes showed a rendering of the section that included the pond. There is a problem in that there is no power for the fountain at this time. Mr. Grimes has contacted Johnson County R.E.M.C. which does have a lighted billboard on I-65. However, the whole area is served by Cinergy. In order for Johnson County R.E.M.C. to supply power, they would have to get permission from the Indiana Utility Regulatory Commission, which is probably very unlikely, said Mr. Grimes, after speaking with his contact. Cinergy has given a ballpark figure of \$20,000 to \$40,000 to provide power to the fountain. Besides the cost, the other consideration is that this would only be temporary until they get permanent power for this section, and development would interfere with the wire. The most reasonable option, stated Mr. Grimes, seems to be to have the pond chemically treated. He has talked with several companies. The season consists of April through September, he added. They would make bi-weekly inspections and do the necessary treatments. Mr. Peoni has indicated he would like a monthly report and told the Board it seems like a reasonable solution. Mr. Hoover moved to delay the implementation of the aeration (fountain) in the offsite pond that is being developed in connection with Crooked Bend, Section 5B, and that it be treated chemically with monthly reports from April through September to be provided to the Engineering Department until such time as land adjacent to that pond is developed and the normal fountain aeration can be put in place. Second by Mr. Beville. Vote: Ayes.

On behalf of Precedent South Business Center, Section One, Block 6, Lot 6B, Tim Sweeney of Quadrangle Development next asked for acceptance of the improvements, release of the performance bond and acceptance of the maintenance bond. A final field inspection has been completed and acceptable paper as-builts have been received. Mr. Peoni confirmed that no Inspection & Testing fees are due. Mr. Hoover moved to:

- 1) Acknowledge that the private improvement of dirt work has been installed in reasonable compliance with the approved design plans for the Quadrangle Building site at Precedent South Business Center, Section One, Block 6, Lot 6B.
- 2) Release performance letter-of-credit (LOC) #2000204309 in the amount of \$230,535 from Bank Midwest for the installation of the private dirtwork for the Quadrangle Building site at Precedent South Business Center, Section One, Block 6, Lot 6B.
- 3) Accept the street improvements in the public right-of-way for the Quadrangle Building site at Precedent South Business Center, Section One, Block 6, Lot 6B.
- 4) Accept the erosion control for the Quadrangle Building site at Precedent South Business Center, Section One, Block 6, Lot 6B.
- 5) Accept three (3) year maintenance LOC #2000205507 in the amount of \$4,746 from Bank Midwest for the erosion control, street improvements in the public right-of-way and signs & monuments for the Quadrangle Building site at Precedent South Business Center, Section One, Block 6, Lot 6B.
- 6) Release performance LOC #2000204273 in the amount of \$4,387 from Bank Midwest for the installation of the street improvements in the public right-of-way for the Quadrangle Building site at Precedent South Business Center, Section One, Block 6, Lot 6B.

- 7) Release performance LOC #2000204272 in the amount of \$18,281 from Bank Midwest for the installation of the erosion control for the Quadrangle Building site at Precedent South Business Center, Section One, Block 6, Lot 6B, all contingent upon:
 - a) Receipt of two (2) sets mylar as-builts.

Second by Mr. Beville. Vote: Ayes.

Attorney Joe Van Valer came forward to request sanitary sewer capacity and a Sanitary Sewer Service Agreement for Dr. Stacy Johnson's Dental Office at 3056 Stones Crossing Road. Mr. Van Valer had spoken with outside engineer Joe Meyer and with Sanitation Superintendent Keith Meier. This is a one-acre tract on the north side of Stones Crossing Road. Mr. Van Valer gave a brief background of the sewer capacity situation, highlighting that the developers of the Mainstay property had requested a change in their Sewer Service Agreement from residential to commercial, which created excess reserve capacity. At this point, said Mr. Van Valer, the plan is to install a grinder pump which would switch on for pumping only at 3:00 a.m. to avoid the peak times and would also be equipped with a rain gauge. Mr. Van Valer told the Board that they would build a wet well large enough to hold three days' worth of flow. He next pointed out that a dentist's office generates a miniscule amount of flow, indicating that his information from Mr. Meyer is that the flow would be less than 150 gallons per day per chair. Dr. Johnson would like to have seven chairs. After discussion and having heard the tentative plans of the petitioner, Mr. Hoover moved to direct staff to make preparations for a Sewer Service Agreement that would be ready for consideration for the Board, should the plans be approved by the City Attorney, the Director of Engineering and the Sanitation Superintendent at a future date. Second by Mr. Beville. Vote: Ayes.

For the Stout's RV Parking Lot Expansion, Matt Thomas of Foresight Engineering requested acceptance and execution of the right-of-way dedication, the sanitary sewer easement and the Grant of Limited Drainage Easement, as well as acceptance of the Inspection & Testing Agreement. Mr. Thomas needs to get the signatures on the original documents. Mr. Peoni will hold the Board's signature page and confirmed that everything is in order. Mr. Hoover then moved to:

- 1) Accept and execute the "Dedication of Public Right-of-Way" along Sheek Road at the Stout's RV Parking Lot Expansion site.
- 2) Accept and execute the "Grant of Limited Drainage Easement" at the Stout's RV Parking lot Expansion site.
- 3) Accept and execute the "Sanitary Sewer Easement" at the Stout's RV Parking Lot Expansion site.
- 4) Accept the Inspection & Testing Agreement for all improvements except sanitary sewers and ratify the acceptance of the 50% upfront fee, all subject to:
 - a) Receipt of the ORIGINAL signed documents stated above in items 1, 2, and 3.

Second by Mr. Beville. Vote: Ayes.

Regarding Starbuck's at Main Street and Emerson Avenue, Mr. Peoni indicated that the right-of-way issue is resolved and staff has the final documents prepared for recording. They are asking that the Board acknowledge the private improvements of dirtwork, storm sewers and erosion control have been installed according to the improved plans, accept the street improvements in the public right-of-way, release appropriate performance bonds and accept the three-year maintenance bond for the street improvements. An initial field inspection has been done, but as-builts came in late. Mr. Hoover moved to:

- 1) Acknowledge that the private improvements of dirtwork and storm sewers have been installed in reasonable compliance with the approved site plans of the Starbuck's site.
- 2) Release performance letter-of-credit (LOC) #68-04 from Irwin Union Bank in the amount of \$25,300 for the installation of the private dirtwork and storm sewers at the Starbuck's site.
- 3) Acknowledge that the private improvement of erosion control has been installed in reasonable compliance with the approved site plans for the Starbuck's site.
- 4) Release performance LOC #69-04 from Irwin Union Bank in the amount of \$5,703 for the installation of the private erosion control at the Starbuck's site.
- 5) Accept the street improvements in the public right-of-way at the Starbuck's site.
- 6) Accept three (3) year maintenance LOC #CIS403869 from 5/3 Bank in the amount of \$2,970 for the street improvements in the public right-of-way at the Starbuck's site.
- 7) Release performance LOC #71-04 from Irwin Union Bank in the amount of \$14,850 for the installation of the street improvements in the public right-of-way at the Starbuck's site, all contingent upon:
 - a) Final approval field inspection.
 - b) Final approved as-builts.
 - c) Receipt of two (2) sets of final mylar as-builts.
 - d) Payment of any final Inspection & Testing fees, if applicable

Second by Mr. Beville. Vote: Ayes.

For University Park, Section 1, Mr. Peoni explained that in order to install a deceleration lane on Main Street for their entrance into the subdivision, the developer had to obtain some right-of-way from Otto's Parking Marking. University Park has submitted a legal description and an exhibit, which are acceptable. The legal department prepared the body of the document. At Mr. Peoni's request, Mr. Beville moved to accept the right-of-way dedication. Second by Mr. Hoover. Vote: Ayes.

Director of Operations Norm Gabehart next asked for permission to enter into an agreement with Government Fixed Asset Services to assist the City in putting together the documentation for GASB-34 compliance – a mandate to the State on the financial statements. Mr. Gabehart indicated that several cities around the State have used the company and they have a good relationship with the State Board of Accounts. Once the City has collected the information, Government Fixed Assets will assist in submitting the appropriate reports in the proper format. There is a not-to-exceed figure of \$11,000 to put the program together, to be paid out of Sewage Works Operating and Board of Works Professional Services. Mr. Gabehart reported that in the meeting with this company they suggested getting the reports in by August or September. In response to Mr. Hoover, Mr. Gabehart thought the funds might be split almost evenly between the two funds but the amounts will be left flexible. Mr. Hoover moved to grant the request to enter into an agreement with Government Fixed Asset Services for GASB compliance, with the cost not to exceed \$11,000 and to be divided between Sewage Works Operating and Board of Works Professional Services in terms and conditions to be approved by the City Attorney and to authorize the Mayor to sign. Second by Mr. Beville. Vote: Ayes.

Mr. Beville moved that the claims be accepted through May 19, 2005. Second by Mr. Hoover. Vote: Ayes.

With no further business, the meeting adjourned at 6:50 p.m.